IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

FRIDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN.

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No. 25985 of 2007

Between:

P.ROZA RAMANI … Petitioner

Versus

The District Collector, Ongole … Respondents
& Ors.

WP.NO.24453 OF 2007

P. ROZA RAMANI … Petitioner

V/S.

The District Collector, Prakasam district
& Ors. … Respondents

Counsel for the Petitioners: SRI M SUBBA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WP. No. 25985 of 2007

WP.NO.24453 OF 2007

COMMON ORDER:

Heard Sri Subba Reddy, the learned counsel representing the writ petitioner in both the writ petitions and the learned Assistant Govt.Pleader for Civil Supplies.

2. The writ petition is filed for a writ of mandamus to declare the Proceedings of the third respondent issued in RC.F/1889/2004, dated 23-11-2007 in issuing a fresh notification inviting applications from the eligible candidates to fill up the vacancy of Fair Price Shop Dealership of Botikelapadu village, Kanigiri Mandal, Prakasam district, during the pendency of the statutory appeal of the petitioner before the second respondent as illegal, arbitrary, violative of principles of natural justice and politically motivated and consequently to direct the respondents not to fill up the said vacancy on permanent basis during the pendency of the statutory appeal of the petitioner and to pass such other suitable orders as this Court may deems fit and proper under the circumstances of the case.

3. The writ petition is filed for a writ of mandamus to declare the

Proceedings of the third respondent issued in RC.F.No.1889/2004 dated 09-10-2007 in canceling the authorization of fair price shop of the petitioner of Botikalapadu village, Kanigiri Mandal, Prakasam district, as illegal, arbitrary, motivated, violative of principles of natural justice and consequently to direct the respondents to continue the petitioner as fair price shop dealer of Botikalapadu village, Kanigiri Mandal, Prakasam district and to pass such other suitable orders as this Court may deems fit and proper under the circumstances of the case.

4. Several facts had been narrated in the respective affidavits filed in support of the writ petitions.

5. It is stated that as against the order of cancellation an appeal had been preferred before the Joint Collector, Ongole, the second respondent and the same is pending disposal.

6. It is also brought to the notice of this court that in the meanwhile notification had been issued and the Revenue Divisional Officer, Kandukur, the third respondent is further proceeding with the matter to see regular appointment is made as a fair price shop dealer.

7. In the light of the peculiar facts and circumstances, let the second respondent, Joint Collector, Ongole, Prakasam district, dispose of the appeal pending on the file of second respondent within

a period of four weeks from the date of receipt of a copy of this order and till then not to make any permanent appointment relating to the fair price shop dealership in question.

8. With the above direction, the writ petitions are accordingly disposed of at the stage of admission. No costs.

JUSTICE P . S .
NARAYANA .
07 /12/2007.

NB: Furnish CC of the Order on 10-12-2007.
B/o. IsL